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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,356	06/20/2001	Shamim A. Alpha	27252.1	6203

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EXAMINER

CHEN, TE Y

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 07/16/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Pre

Office Action Summary

Application No.
09/885,356

Applicant(s)
Alpha

Examiner
T. Chen

Art Unit
2171



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jun 20, 2001
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

1. Claims 1 - 20 are presented for examination.
2. It is noted that the present application does not contain line numbers in the specification and claims. The instant disclosure does not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both Examiner and Applicant all future correspondence should include the recommended line numbering.

Specification

3. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: at page 14, line 6 - page 15, line 5. Wherein, the terms/sub-function (e.g., the term S_i , the function $\text{sum}(W_i)$) listed in the formulas for associating the score range (i.e., bin) for a document or determining the position of the document within a score bin are not defined.

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4. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicants' cooperation are requested in correcting any errors of which applicants may become aware in the specification. Also, It is noted that the present specification does not contain line numbers. For ease of reference by both Examiner and Applicant all future correspondence should include the recommended line numbering.

Claim Objections

5. Claims 7 and 20, are objected to because of the following informalities:

6. As to claims 7 and 20, these claims attempt to depend on claims 1 and 13. However, except cited that a computer readable medium having the features of it's base claims, applicant fails to further limit these base claims. As such, the examiner requests that claims 7 and 20 be rewritten in an independent form to include every corresponding feature of the base claim on which they currently depend. Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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8. Claims 1-20, are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

9. As to claims 1, 8, and 13, applicant fails to define the terms/sub-function (e.g., the term S_i , the function $\text{sum}(W_i)$, see page 14, line 1 - page 15, line 14) listed in the formulas for associating the score range (i.e., bin) for a document or determining the position of the document within a score bin. Therefore, the invention is not such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim Rejections - 35 USC § 112

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claims 1-20, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

12. As to claims 1 and 8, the term -- "M"-- lacks of proper antecedent basis;

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13. As to claim 2, it is unclear what is it meant by “determining a relevance of a document independently in relation to other candidate documents” [i.e., if a system can determine relevance of a document independently, why should it care for the relation to the other candidate documents?]

14. As to claim 13, it is uncertain what relationship is established between the claimed total term weight and one of the total relevance score range [i.e., what is the relationship being built between the cited total term weight and the relevance score bin? Is it a one to one, or one to many, or many to many relationship?]

15. As to claims 1, 8, and 13, it is not understood what is it meant by “retrieving a set of most relevant documents based on the association to the relevance score bins having a highest relevance score without retrieving other candidate documents [i.e., it is not understand how a system could rank a set of documents with relevance score bins without retrieving other candidate documents?]

16. As to claims 2-7, 9-12 and 14-20, these claims have the same defects as their base claims, hence are rejected for the same reason.

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Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 1-20, are rejected under 35 U.S.C. 103(a) as being unpatentable over Wical (U.S. Patent No. 6,460,034)..

19. As to claims 1-3, 5-8, 10-16 and 18-20, Wical discloses an object retrieval system [e.g., see Abstract, Fig. 1] with apparatus, methods and computer program products as claimed by applicant, to perform the following processing, comprising:

* logic for processing a search query having one or more terms [e.g., the content processing system (110), Fig. 1; col. 6, lines 23-33];

* object retrieval logic for identifying candidate objects that match the search query [e.g. The query processing module (175), Fig. 1; 205, Fig. 2; col. 8, lines 58-65];

* ranking logic for assigning a term weight to each of the terms and associating each combination of matched term weight to a relevance score range [e.g. see col. 3, lines 10-15; the Relevance ranking module (570), Fig. 7]; the ranking logic grouping the candidate objects based on the matched term weight where an object that matches a total term weight of M (or total them

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strength) is associated to a more relevant score range than an object that matches a total term weight less than M; [e.g., see col. 15, lines 58-61; col. 23, lines 26-54]; and

- * retrieval logic for retrieving a set of most relevant objects associated to the relevance score ranges having a greatest matched term weight [e.g. see step 410-440, Fig. 5; Fig(s). 11-12; col. 25, lines 34-55]; and

- * display the most relevant documents to a user [e.g., see Fig(s). 11A-1; 12].

20. Wical did not expressly disclose his system allows a user to click only those in the highest ranked set document. However, for example, look at Fig. 11A-1, it clearly isolates the first 42 items in the top three-star rank. Thus, it would be obvious to an ordinary skill person in the art, at the time the invention is made, to retrieve only those items, because they are the one's most interested and it would be inefficient to retrieve those of lower interest.

21. As to claim 9, except the features discussed above, Wical further discloses that the search query processing logic including a parser that parses the search query to identify the terms [e.g., see the theme parser, col. 27, lines 24-39].

22. As to claims 4 and 17, except the features discussed above, Wical further discloses that the system using an inverse frequency scoring to assign the term weight [e.g., the query term weight strength is decreased based on the distance weight, see col. 14, lines 4-5].

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Conclusion

23. To expedite the process of re-examination, the examiner requests that all future correspondences in regard to overcoming prior art rejections or other issues (e.g. 35 U.S.C. 112) set forth by the Examiner prior to the office action, that applicant should provide and link to the most specific page and line numbers of the disclosure where best support is found (see 35 U.S.C. 132).

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Aalbersberg (U.S. Patent No. 5,293,552) which disclosed a system having method and means for storing, compressing, and retrieving bibliometric information on items from a finite source of text; Katariya et al. (U.S. Patent No. 6,549,897), which teaches method and system for calculating phrase-document importance.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Chen, whose telephone number is (703) 308-1155. The examiner can normally be reached Monday through Friday from 7:30 A.M. to 4:30 P.M.

26. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached at (703) 308-1436. The fax phone numbers for this

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group are: (703) 746-7238 (After Final Communication); (703) 746-7239 (Official Communications); and (703) 746-7240 (For Status Inquiries, Draft Communication).

27. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Susan Chen

July 9, 2003


WAYNE AMSBURY
PRIMARY PATENT EXAMINER